Certificate of Mailing

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Box Missing Parts, Commissioner for Patents, Washington, D.C. 20231 on June 26, 2002.

By: Katherine StoferPrinted: Katherine Stofer**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**In re Application of: Cunningham et al.Title: MARKER GENES RESPONDING TO TREATMENT WITH TOXINSSerial No.: 10/006,285 Filing Date: December 05, 2001Examiner: To Be Assigned Group Art Unit: 1645

*COPY OF PAPERS
ORIGINALLY FILED*

BOX MISSING PARTSCommissioner for Patents
Washington, D.C. 20231**TRANSMITTAL FEE SHEET**

Sir:

Transmitted herewith are the following for the above-identified application:

1. Return Receipt Postcard;
2. Response to Notice to File Missing Parts - Filing Date Granted (2 pp.);
3. Copy of said Notice to File Missing Parts - Filing Date Granted, dated March 19, 2002 (1 pg.);
4. Executed Declaration and Power of Attorney (6 pp., signed in counter-part);
5. Petition for Extension of Time (Two-Month) (1 pg.)

The fee has been calculated as shown below.

<u>X</u> Fee for filing late Oath or Declaration under 37 CFR §1.53(b) e	\$ 130.00
<u>X</u> Fee for Petition for Extension of Time Under 37 CFR - 1.17(a) - <u>2</u> Mo(s).	\$ 400.00
<u>X</u> Please charge Deposit Account No. <u>09-0108</u> in the amount of :	\$ <u>530.00</u>

The Commissioner is hereby authorized to charge any additional fees required under 37 CFR 1.16 and 1.17, or credit overpayment to Deposit Account No. 09-0108. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

INCYTE GENOMICS, INC.

Date: June 26 2002*for*

Daniel S. Shuler Reg. No. 43,168
Lynn E. Murry, Ph.D.
Reg. No. 42,918
Direct Dial Telephone: (650) 845-4159

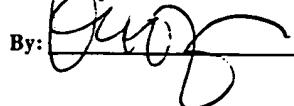
3160 Porter Drive
Palo Alto, California 94304
Phone: (650) 855-0555
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Docket No.: PA-0039 US

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Cunningham et al.

Title: MARKER GENES RESPONDING TO TREATMENT WITH TOXINS

Serial No.: 10/006,285 Filing Date: December 05, 2001

Examiner: To Be Assigned Group Art Unit: 1645

Commissioner for Patents
Box Missing Parts
Washington, D.C. 20231

**RESPONSE TO NOTICE TO FILE MISSING PARTS OF NON-PROVISIONAL
APPLICATION FILED UNDER 37 CFR § 1.53(b) -
FILING DATE GRANTED**

Sir:

In response to the "Notice to File Missing Parts of Non-Provisional Application filed under 37 CFR § 1.53(b) - Filing Date Granted" mailed by the United States Patent and Trademark Office on March 19, 2002 (copy attached), Applicants submit the following document(s) to complete the filing for the above-identified patent application. The period of time for response has been extended until July 19, 2002, by the accompanying Petition and fee.

1. Executed Declaration and Power of Attorney for United States Patent Application (6 pp.; signed in counterpart); and
2. Petition for Extension of Time - Two-month(s) (1 pg.).

The Commissioner is hereby authorized to charge the amount of **\$530.00** to Deposit Account No. **09-0108**, as set forth in the accompanying transmittal letter. If the Commissioner determines that additional fees are due or that an excess fee has been paid, the Patent Office is authorized to debit or credit (respectively) Deposit Account No. **09-0108**.

If there are any questions regarding the above, the Examiner is invited to call the undersigned.

Respectfully submitted,
INCYTE GENOMICS, INC.

Date:

June 26, 2002 *David A. Shute Reg. No. 43,168*

for Lynn E. Murry, Ph.D.

Reg. No. 42,918

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UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/006,285	12/05/2001	Mary Jane Cunningham	PA-0039 US

INCYTE GENOMICS, INC.
3160 Porter Drive
Palo Alto, CA 94304

CONFIRMATION NO. 2300
FORMALITIES LETTER



OC00000007667521

Date Mailed: 03/19/2002

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 130.**

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

07/08/2002 JADDO1 00000017 090108 10006235

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